

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSHUA IAN DEDMON,)	
)	
Plaintiff,)	
vs.)	NO. CIV-07-0733-HE
)	
MIKE BURGESS, ET AL.,)	
)	
Defendants.)	

ORDER

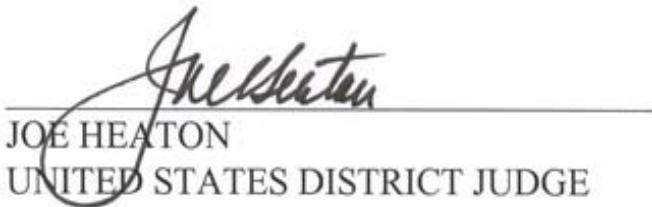
Plaintiff Joshua Dedmon, a pro se state prisoner, brings this action pursuant to 42 U.S.C. § 1983, alleging violations of his federal constitutional rights. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to Magistrate Judge Gary M. Purcell, who recommended that plaintiff's § 1983 action be dismissed, pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B), for failure to state a claim for relief. Judge Purcell further recommended that, to the extent plaintiff seeks relief under 28 U.S.C. § 2241, his action should be dismissed without prejudice on the ground of abstention.

Plaintiff has failed to object to the Report and Recommendation and, therefore, has waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1); LCvR 72.1. The court has also considered the merits of the motion and substantially concurs with the Magistrate Judge's analysis.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #11]. The plaintiff's claims are **DISMISSED**.

IT IS SO ORDERED.

Dated this 2nd day of October, 2007.



JOE HEATON
UNITED STATES DISTRICT JUDGE